

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RONALD LAMONT DAVIS,

Plaintiff,
v.
Case No. 1:23-cv-1225
Hon. Paul L. Maloney

UNKNOWN FIERING and
DALE BONN,

Defendants.

/

**ORDER TO PROCEED *IN FORMA PAUPERIS* AND FOR PAYMENT OF FILING FEE
ON APPEAL**

The Court entered a judgment against plaintiff on January 27, 2025 (ECF No. 37). Plaintiff filed a notice of appeal (ECF No. 38). This matter is now before the Court on plaintiff's motion for leave to proceed *in forma pauperis* on appeal (ECF No. 39). The filing fee for appealing a civil action is \$605.00. Plaintiff must pay a portion of this amount as an initial partial filing fee, which is 20 percent of the greater of (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(b)(1); *McGore v. Wrigglesworth*, 114 F.3d 601, 606-07, 611 (6th Cir. 1997). According to the certified copy of plaintiff's prison trust account statement, the average monthly deposit to his account for the past six months is \$54.74 (ECF No. 39-1). Twenty percent of the plaintiff's average monthly account deposit is \$10.95. Accordingly, plaintiff shall remit \$10.95 within 28 days of the date of the entry of this order to the address listed at the end of this order. The check or other form of payment shall be payable to "Clerk, U.S.

District Court" and must indicate the case number in which the payment is made. Once the initial partial filing fee has been paid, plaintiff must pay the balance of the filing fee through monthly payments. *See 28 U.S.C. § 1915(b)(2)* ("After payment of the initial partial filing fee, the prisoner shall be required to make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account. The agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of the court each time the amount in the account exceeds \$10 until the filing fees are paid.").

IT IS ORDERED that plaintiff's motion for leave to proceed *in forma pauperis* on appeal (ECF No. 39) is **GRANTED** and plaintiff is liable for a filing fee in the amount of \$605.00.

IT IS FURTHER ORDERED that plaintiff shall submit an initial partial filing fee in the amount of \$10.95 to the Clerk of the Court within 28 days of the entry of this order.

IT IS FURTHER ORDERED that the agency having custody of plaintiff shall collect the balance of the filing fee as follows: each month that the amount in plaintiff's account exceeds \$10.00, the agency shall collect 20 percent of the preceding month's income and remit that amount to the Clerk of this Court, until the balance of the filing fee is paid in full.

Dated: March 4, 2025

/s/ Ray Kent
RAY KENT
United States Magistrate Judge

SEND REMITTANCES TO THE FOLLOWING ADDRESS:

Clerk, U.S. District Court
399 Federal Building
110 Michigan Street, NW
Grand Rapids, MI 49503